Roberta Firoved

Comments from the California Rice Commission.

California Rice

May 8, 2025

Submitted via SmartComment portal:
Pesticide Prioritization Process

Jennifer Teerlink, PhD
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California Department of Pesticide Regulation
1001 I Street (P.O. Box 4015)
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RE: California Rice Commission comments on the Pesticide Prioritization Process and Scientific Advisory Committee

Dear Dr. Teerlink:

Thank you for seeking comments on the Department of Pesticide Regulation (DPR) pesticide prioritization process and selection of the scientific advisory committee resulting from implementation of the Sustainable Pest Management: A Roadmap for California.

The California Rice Commission (CRC) is a statutory organization representing the entirety of the California rice industry consisting of 2,500 rice farmers and marketers (CDFA FAC 71000-71138). Representation of the California rice industry involves regulatory issues for air resources, pesticide regulation, water quality, conservation programs, and public education. As a commission, the CRC does not have a membership of interested parties because the members must grow rice, market the commodity, and pay a mandatory assessment to the CRC. California is the second largest rice producing state in the United States growing mostly japonica medium grain on an average of 500,000 acres annually (CDFA 2021).

As an active participant in the registration and reregistration/reevaluation of all pesticides for California rice, the CRC requests to be a resource for questions about cultural practices and mitigation measures during the reevaluation process.

The CRC has a long history of collaboratively working through the pesticide regulatory process with access to experts such as, but not limited to, rice growers, industry members, University experts, and Farm Advisors (UC Cooperative Extension) for additional details, data submittals, feedback and comments during the prioritization for selection, reevaluation and mitigation.

Our comments address the three Questions for Public Comment found on Slide 22 from the Pesticide Prioritization Workshop held on April 8, 2025.

Slide 22: Questions for Public Comment

- What suggestions and input do you have for:
    - Prioritization Process.
    - Structure for submission of potential priorities (Slide 14).
    - Scientific Advisory Committee areas of expertise (Slides 19-20).

Prioritization Process

The pesticide prioritization process is an area to benefit from federal and state collaboration like the concurrent submission process for pesticide registration where the packet submittal is simultaneous to the U.S. Environmental Protection Agency (U.S. EPA) and the DPR (DPR CA Notice 2015-03). Success occurs from staff assignments for open communication with the DPR Pesticide Registration Branch and the U.S. EPA Office of Pesticide Programs for coordination and identification of pesticides open for reevaluation.

The U.S. EPA reviews pesticide registrations per statute found in the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), amended by the Food Quality Protection Act of 1996 (FQPA) and the Pesticide Registration Improvement Act (PRIA). The U.S. EPA review of each registered pesticide occurs at least every 15 years to ensure every pesticide meets the intended function(s) without creating unreasonable adverse effects to human health and the environment (U.S. EPA Nov 2024). Those persons who oppose the program, state that the U.S. EPA only reviews registered pesticides every 15 years. Those of us familiar with the process know it takes at least 15 years to respond to the reviews and meet data requests. Therefore, the US. EPA reevaluation is a continuous process and why we recommend collaboration.

Coordination with the U.S. EPA is important in the pesticide reevaluation process with the ongoing reviews, and because of the pesticides linked in the document, Pesticide Prioritization Workshop presentation, *State actions to evaluate and reduce pesticide-related risks: 10-year review and current progress.*
DPR evaluation and mitigation actions in progress: *The following risk assessments and reevaluations are currently in progress at DPR as of November 2024.*

Under the section, *5 active mitigation developments (including focused monitoring) for pesticide active ingredients:*

- Carbaryl (occupational)
- Fipronil

- Phosphine
- Propanil
- Propargite

Carbaryl, phosphine and propanil are registered for use on rice.

The U.S. EPA recently cancelled the carbaryl registration on rice per the most current reevaluation of the active ingredient. The decision was simply from no use of the insecticide per the DPR Pesticide Use Reporting (EPA-HQ-OPP-2024-0579). Cancellation of carbaryl is not a concern because it is an older chemistry with little to no effectiveness on insect pests found in California rice. Carbaryl is now a California restricted material, and the reevaluation is for occupational exposure would not include rice as a commodity in the assessment process.

We state the issue with occupational exposure because of the propanil evaluation. The propanil registrants removed turf (registered but not marketed) to make the herbicide rice specific. In California, there was reported usage on tree crops, which was from an aerial study to evaluate buffer zones prior to current modeling methods.

At the conclusion of the U.S. EPA reevaluation, the Agency did not conduct residential and other nonoccupational risks because, "There are no residential or other nonoccupational risk concerns because propanil does not have any residential uses." (U.S. EPA RED 2003). The U.S. EPA assessment of no residential exposure is what the DPR program used as an opportunity to assess by-stander exposure, which has led to the occupational and worker exposure assessments per the Propanil Mitigation Scoping document, August 22, 2022. The 10-year review process lists propanil as one of 13 completed active ingredient human health risk assessments. Resulting from the assessment, additional water monitoring is underway by the DPR surface and ground water programs. We certainly hope the DPR reviewers seek the CRC input for accuracy with the use of propanil on California rice before proposing future mitigation. The CRC would have been an asset to accuracy of the assessment found the Propanil Mitigation Scoping document.

We did not research any documents that might have been prepared for phosphine. The fumigant typically has targeted usage in storage bins at rice mills. We would hope the DPR reviewers would also reach out to the CRC with questions specific to rice usage, if applicable.

The CRC can provide valuable feedback on usage of rodenticides around rice mills. As food establishments, the mills must follow specific standards to meet auditing of the facility for handling, storing and processing rice. Usage of rodenticides and fumigants are management practices the mills must utilize to pass the auditing process.

The fipronil assessment is another example where agricultural industry input is essential. The insecticide has been registered on rice in other states, but never in California. All registrations for fipronil use in California are non-agricultural usage. However, fipronil occasionally is reported on California rice through a data entry error. Navigator, California registration number (89391-50002), is an adjuvant that can be mixed in the tank for pesticide applications to rice. Navigator SC Termiticide/ Insecticide (EPA Reg. No. 93182-23) is registered as a home use product in California. Occasionally the termiticide/insecticide is selected while filling out the DPR pesticide use reports when the adjuvant is the correct product to report.

We appreciate the DPR actions to revise the fipronil label for addressing urban surface water concerns. The CRC is appreciative of the action because agricultural organizations are monitoring fipronil in surface water programs. The advisory groups directing the monitoring for fipronil are familiar with agriculture, but not specifics of the California pesticide regulatory program. Input from California agricultural is essential using both fipronil scenarios.

Structure for submission of potential priorities (Slide 14)

The CRC is hopeful the process includes more structure than stating concerns because we fear this could lead to campaigns against groups of pesticides. The Refinement of any Potential Priority (Slide 15) includes a list that could be in adverse effects reports. Adverse effects data from the pesticide registration process is a good source to support the reevaluation of a pesticide. Per statute, the adverse effects process can trigger the pesticide reevaluation and add refinement to the potential priority. This information includes, but is not limited to, that required by federal law (FIFRA Section 6(a) (2)). Registrants must submit adverse effects disclosures in a cover letter with a citation referencing (FAC section 12825.5 or 3 CCR section 6210). Further coordination with the U.S. EPA reevaluation process provides identification of pesticides for priority.

We request adding the grower/commodity groups to the list found on Slide 14. Grower groups such as the CRC can provide information on rice usage, relevant application methods and address nature of the concern. Even if a specific rice grower reaches out in the DPR pesticide prioritization process, we ask that the Department follows up with the CRC for clarification and representation of what affects the entire industry.

Scientific Advisory Committee areas of expertise (Slides 19-20)

The DPR pesticide prioritization process provides an impressive list in the areas of expertise. One obvious group without representation is the grower. The California

rice industry is known for success in addressing and proactively managing water quality program and pesticide regulatory issues for over 30 years. Advisory group members with specific qualifications and credentials from areas of regulation, registration, university, research and consulting all agreed the key component to the team's success were the rice growers who gave input on what actions would be achievable.

In the document, *State actions to evaluate and reduce pesticide-related risks: 10-year review and current progress*, molinate, a rice specific herbicide, is found in the list of pesticides receiving the U.S. EPA mitigation to address risk. As background, the CRC was instrumental in initiating the molinate cancellation. Molinate was found in fish tissue samples from the agricultural drains. The rice industry in collaboration with the state, university, registrants, UC Extension were effective in creating water holding requirements to mitigate risks from molinate. There were no environmental concerns from molinate use when the herbicide was going through the U.S. EPA reregistration process (CDFA 1984).

The issue resulting from the U.S. EPA reevaluation was toxicity data so old as to need revising. This would have been a costly process to maintain an older chemistry losing effectiveness on water grass, a major weed found in rice. The CRC chose to initiate the cancellation and open the opportunity for registration of alternative herbicides (EPA-HQ-OPP-2003-0397). The phase out began in 2006 with finalization in 2009, and the rice industry is still waiting for an alternative herbicide with comparative control of water grass. Our point is twofold; 1) exemplifying the need for industry input, and 2) pesticide cancellation does not automatically allow for registration of an alternative material. The alternative might not exist, and if it does, the registration should be complete before initiation of a cancellation.

Thank you again for seeking comments to the Pesticide Prioritization Process. Input from agriculture is essential, and we realize opening the process to grower/ commodity groups might not appear to be streamlining the approach. Please realize not all commodity groups provide the same level of engagement and expertise as the CRC. We request you contact the CRC for anything relative to rice. For several decades, the rice industry has had an excellent relationship with the DPR staff successfully managing pesticide and water quality programs.

Sincerely,

Craig Riddle, PG
Industry Affairs Manager

cc: Karen Morrison, Director, Department of Pesticide Regulation
Tim Johnson, President/CEO, California Rice Commission
Roberta Firoved, Consultant, California Rice Commission

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